

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

Docket No. 2003-326-C

IN RE:)	
)	
Analysis of Continued Availability)	TALK AMERICA'S
Of Unbundled Local Switching for)	OBJECTIONS AND
Mass Market Customers Pursuant)	RESPONSES TO
To the Federal Communication)	BELLSOUTH'S FIRST
Commission's Triennial Review Order)	SET OF INTERROGATORIES
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Talk America Inc. ("Talk"), pursuant to the Rules and Regulations of the Public Service Commission of South Carolina ("Commission") and pursuant to the Code of Laws of South Carolina, hereby generally and specifically objects to BellSouth Telecommunications, Inc.'s (hereinafter "BellSouth") First Set of Interrogatories. The objections stated herein are general and specific and are made at this time for the purpose of complying with the procedures as set forth in the CompSouth/BellSouth Joint Motion for Initial Procedural Order filed on November 12, 2003 for this proceeding. Any answer that Talk may provide in response to the BellSouth discovery will be provided subject to, and without waiver of, these objections. Talk reserves the right to amend, supplement, or revise these objections, and assert additional objections, should Talk discover additional grounds for objecting as Talk prepares its responses to any discovery or at any time prior to hearing.

I. General Objections

Talk makes the following General Objections to BellSouth's First Set of Interrogatories to Talk, including the applicable definitions and instructions therein

("BellSouth discovery"), which as appropriate, will be incorporated into each relevant response when such responses are served on BellSouth.

1. Talk objects to the BellSouth discovery to the extent that such discovery seeks to impose an obligation on Talk to respond on behalf of its subsidiaries and affiliates, or other persons that are not parties to this case on the grounds that such discovery is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Talk further objects to any and all BellSouth discovery that seeks to obtain information from Talk for Talk subsidiaries, affiliates, or other related Talk entities that are not certificated by the Commission. BellSouth's definitions of "you", "your", "company", and "Talk" are examples of BellSouth's attempt to impose the above-referenced obligation on Talk.

2. Talk has interpreted the BellSouth discovery to apply to Talk's regulated intrastate operations in South Carolina, and Talk will limit its responses accordingly. To the extent that any BellSouth discovery is intended to apply to matters that take place outside the state of South Carolina and which are not related to Talk's South Carolina intrastate operations subject to the jurisdiction of the Commission, Talk objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. Talk objects to the BellSouth discovery to the extent that such discovery calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. Talk objects to the BellSouth discovery insofar as such discovery is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple

interpretations and are not properly defined or explained for purposes of these requests. Any responses provided by Talk in response to BellSouth discovery will be provided subject to, and without waiver of, the foregoing objection.

5. Talk objects to the BellSouth discovery insofar as such discovery is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action.

6. Talk objects to the BellSouth discovery insofar as it seeks information or documents, or seek to impose obligations on Talk which exceed the requirements of the Rules and Regulations of the Commission or South Carolina law.

7. Talk objects to providing information to the extent that such information is already in the public record before the Commission, the FCC, is otherwise publicly available, or which is already in the possession, custody, or control of BellSouth.

8. Talk objects to the BellSouth discovery to the extent that such discovery is overly broad, unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. Talk objects to each and every request to the extent that the information requested constitutes "trade secrets," confidential or proprietary information, which are privileged or exempt from public disclosure pursuant to applicable South Carolina law or rules of the Commission.

10. In the course of its business, Talk creates countless documents that are not subject to Commission or FCC retention of records requirements. These documents are kept in numerous locations and are frequently moved from site to site as employees

change jobs or as the business is reorganized. Therefore, it is possible that not every document has been identified in response to these requests. Talk will conduct a reasonable and diligent search of those files that are reasonably expected to contain the requested information. To the extent that the BellSouth discovery purports to require more, Talk objects on the grounds that compliance would impose an undue burden or expense.

11. Talk objects to the BellSouth discovery that seeks to obtain "all," "each," or "every" document, item, customer, or other such piece of information to the extent that such discovery is overly broad and unduly burdensome. Any answers that Talk may provide in response to the BellSouth discovery will be provided subject to, and without waiver of, this objection.

12. Talk objects to the BellSouth discovery to the extent such discovery seeks to have Talk create documents not in existence at the time of the request.

13. Talk objects to the BellSouth discovery as overly broad and unduly burdensome to the extent that such discovery is not limited to any stated period of time or a stated period of time that is longer than is relevant for purposes of the issues in this docket.

14. In light of the short period of time Talk has been afforded to respond to the BellSouth discovery, the development of the Talk positions and potentially responsive information to the BellSouth requests is necessarily ongoing and continuing. This process is further complicated since at this point in time, the actual issues to be set forth for hearing in this docket have not yet been established by order of the Commission.

Accordingly, these are preliminary objections to comply with the CompSouth/BellSouth Joint Motion for Initial Procedural Order and Talk reserves the right to supplement, revise, or modify its objections at the time that it serves its actual responses to the BellSouth discovery. However, Talk does not assume an affirmative obligation to supplement answers on an ongoing basis, contrary to the BellSouth General Instruction.

15. Talk objects to BellSouth's First Set of Interrogatories to Talk to the extent that the Interrogatories purport to seek discovery of information and/or materials containing the mental impressions, conclusions, opinions or legal theories of any attorney or other representative of Talk concerning the subject of the proceeding and prepared and developed in anticipation of litigation pursuant to South Carolina law.

16. Talk objects to the BellSouth discovery to the extent that the definitions operate to seek discovery of matters other than those subject to the jurisdiction of the Commission, pursuant to the FCC's Triennial Review Order, Commission regulations and South Carolina law.

17. Talk objects to the BellSouth discovery to the extent that it requests information that may not be available in precisely the same format, category, or definitions from Talk systems, which systems are limited in terms of their capacity to produce unlimited reports and information in any format, category or definition requested.

II. Specific Objections

Talk makes the following Specific Objections to the BellSouth discovery, which as appropriate will be incorporated into each relevant response when such responses are served on BellSouth.

18. Talk objects to each and every interrogatory that seeks information regarding Talk's operations in Incumbent Local Exchange Carrier (hereinafter "ILEC") service areas other than the BellSouth ILEC service area within the state of South Carolina as such information is irrelevant to BellSouth's case in this docket and such discovery is overly broad and unduly burdensome.

19. Talk objects to each and every interrogatory that seeks to obtain information regarding "former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Talk" as such information is not within Talk's control, would be unduly burdensome to attempt to obtain, and is likely irrelevant.

20. To the extent that BellSouth's discovery requests specific financial, business, or proprietary data regarding Talk's economic business model, Talk objects to providing any such information on the grounds that those requests presume the market entry analysis is contingent upon Talk's economic business model instead of a hypothetical business model contemplated by the Triennial Review Order, and such information is confidential and proprietary to Talk.

21. Outside of the BellSouth discovery, there have been discussions between BellSouth and some of the Competitive Local Exchange Carriers (hereinafter "CLECs") that this discovery is "regional" in nature and that BellSouth would prefer that the CLECs

respond on a regional basis without additional service in these other states. At this point in time, without necessarily agreeing or disagreeing with BellSouth's request for regional answers, Talk reserves its rights to object to providing responsive information for states other than South Carolina. Further, in the event Talk does provide responsive information for states other than South Carolina pursuant to the discovery in this South Carolina docket, Talk reserves its rights to not provide such non-South Carolina information in the South Carolina Commission docket. Finally, in the event Talk does provide information for states other than South Carolina pursuant to the discovery in this South Carolina docket, Talk reserves its rights to provide such non-South Carolina information on a schedule other than that provided solely for the South Carolina Commission docket.

22. Talk objects to the production of documents regarding any interrogatory to which Talk has objected.

III. Responses to Interrogatories Subject to Objections

Talk incorporates its General Objections and Specific Objections herein. Subject to and without waiving those objects, Talk provides the following specific responses to BellSouth's requests:

INTERROGATORY NO. NO. 1:

Identify each switch owned by Talk America that Talk America uses to provide a qualifying service anywhere in South Carolina, irrespective of whether the switch itself is located in the State and regardless of the type of switch (e.g., circuit switch, packet switch, soft switch, host switch, remote switch).

RESPONSE:

Talk does not own any switches that it uses to provide local exchange services anywhere in South Carolina. Talk serves local customers in South Carolina exclusively through the lease of BellSouth UNE-P facilities or through resale of BellSouth services.

INTERROGATORY NO. 2:

For each switch identified in response to Interrogatory No. 1, please:

- (a) provide the Common Language Location Identifier ("CLLI") code of the switch;
- (b) provide the street address, including the city and state in which the switch is located;
- (c) identify the type of switch by manufacturer and model (e.g., Nortel DMS100);
- (d) state the total capacity of the switch by providing the maximum number of voice-grade equivalent lines the switch is capable of serving, based on the switch's existing configuration and component parts;
- (e) state the number of voice-grade equivalent lines the switch is currently serving based on the switch's existing configuration and component parts; and
- (f) provide information relating to the switch as contained in Telcordia's Local Exchange Routing Guide ("LERG"); or, state if the switch is not identified in the LERG.

RESPONSE:

Not applicable.

INTERROGATORY NO. 3:

Identify any other switch not previously identified in Interrogatory No. 1 that Talk America uses to provide a qualifying service anywhere in South Carolina, irrespective of whether the switch itself is located in the State and regardless of the type of switch (e.g., circuit switch, packet switch, soft switch, host switch, remote switch). In answering this Interrogatory, do not include ILEC switches used by Talk America either on an unbundled or resale basis.

RESPONSE:

None. See response to Interrogatory No. 1.

INTERROGATORY NO. 4:

For each switch identified in response to Interrogatory No. 3, please:

- (a) identify the person that owns the switch;
- (b) provide the Common Language Location Identifier ("CLLI") code of the switch;
- (c) provide the street address, including the city and state in which the switch is located;
- (d) identify the type of switch by manufacturer and model (e.g., Nortel DMS100);

- (e) describe in detail the arrangement by which you are making use of the switch, including stating whether you are leasing the switch or switching capacity on the switch;
- (f) identify all documents referring or relating to the rates, terms, and conditions of Talk America's use of the switch; and
- (g) provide information relating to the switch as contained in Telcordia's Local Exchange Routing Guide ("LERG"); or, state if the switch is not identified in the LERG.

RESPONSE:

Not applicable.

INTERROGATORY NO. 5:

Identify by name, address, and CLLI code each ILEC wire center area, i.e., the territory served by the wire center, in which you provide qualifying service to any end user customers in South Carolina utilizing any of the switches identified in response to Interrogatory No. 1. If you assert that you cannot identify or do not know how to ascertain the boundaries of a wire center area, provide the requested information for the ILEC exchange in which your end user customer is located.

RESPONSE:

Not applicable.

INTERROGATORY NO. 6:

For each ILEC wire center area identified in the foregoing Interrogatory (or ILEC exchange if you do not provide the information by wire center area) identify the total number of voice-grade equivalent lines you are providing to end user customers in that wire center area from the switches identified in response to Interrogatory 1.

RESPONSE:

Not applicable.

INTERROGATORY NO. 7:

With regard to the voice-grade equivalent lines identified by ILEC wire center area (or ILEC exchange) in response to Interrogatory 6, separate the lines by end user and end user location in the following manner:

- (a) The number of end user customers to whom you provide one (1) voice-grade equivalent line;
- (b) The number of end user customers to whom you provide two (2) voice-grade equivalent lines;
- (c) The number of end user customers to whom you provide three (3) voice-grade equivalent lines;
- (d) The number of end user customers to whom you provide four (4) voice-grade equivalent lines;
- (e) The number of end user customers to whom you provide five (5) voice-grade equivalent lines;

- (f) The number of end user customers to whom you provide six (6) voice-grade equivalent lines;
- (g) The number of end user customers to whom you provide seven (7) voice-grade equivalent lines;
- (h) The number of end user customers to whom you provide eight (8) voice-grade equivalent lines;
- (i) The number of end user customers to whom you provide nine (9) voice-grade equivalent lines;
- (j) The number of end user customers to whom you provide ten (10) voice-grade equivalent lines;
- (k) The number of end user customers to whom you provide eleven (11) voice-grade equivalent lines;
- (l) The number of end user customers to whom you provide twelve (12) voice-grade equivalent lines; and
- (m) The number of end user customers to whom you provide more than twelve (12) voice-grade equivalent lines;

RESPONSE:

Not applicable.

INTERROGATORY NO. 8:

Identify by name, address, and CLLI code each ILEC wire center area, i.e., the territory served by the wire center, in which you provide qualifying service to any end user customers in South Carolina utilizing any of the switches identified in response to

Interrogatory No. 3. If you assert that you cannot identify or do not know how to ascertain the boundaries of a wire center area, provide the requested information for the ILEC exchange in which your end user is located.

RESPONSE:

Not applicable.

INTERROGATORY NO. 9:

For each ILEC wire center area identified in the foregoing Interrogatory (or ILEC exchange if you do not provide the information by wire center area) identify the total number of voice-grade equivalent lines you are providing to end user customers in that wire center area from the switches identified in response to Interrogatory No. 3.

RESPONSE:

Not applicable.

INTERROGATORY NO. 10:

With regard to the voice-grade equivalent lines identified by ILEC wire center area (or ILEC exchange) in response to Interrogatory 9, separate the lines by end user and end user location in the following manner:

- (a) The number of end user customers to whom you provide one (1) voice-grade equivalent line;
- (b) The number of end user customers to whom you provide two (2) voice-grade equivalent lines;
- (c) The number of end user customers to whom you provide three (3) voice-grade equivalent lines;

- (d) The number of end user customers to whom you provide four (4) voice-grade equivalent lines;
- (e) The number of end user customers to whom you provide five (5) voice-grade equivalent lines;
- (f) The number of end user customers to whom you provide six (6) voice-grade equivalent lines;
- (g) The number of end user customers to whom you provide seven (7) voice-grade equivalent lines;
- (h) The number of end user customers to whom you provide eight (8) voice-grade equivalent lines;
- (i) The number of end user customers to whom you provide nine (9) voice-grade equivalent lines;
- (j) The number of end user customers to whom you provide ten (10) voice-grade equivalent lines;
- (k) The number of end user customers to whom you provide eleven (11) voice-grade equivalent lines;
- (l) The number of end user customers to whom you provide twelve (12) voice-grade equivalent lines; and
- (m) The number of end user customers to whom you provide more than twelve (12) voice-grade equivalent lines;

RESPONSE:

Not applicable.

INTERROGATORY NO. 11:

Identify by name, address, and CLLI code each ILEC wire center area, i.e., the territory served by the wire center, in which you provide qualifying service to any end user customers in South Carolina using an ILEC's switch either on an unbundled or resale basis. If you assert that you cannot identify or do not know how to ascertain the boundaries of a wire center area, provide the requested information for the ILEC exchange in which your end user customer is located.

OBJECTION:

Talk objects to this interrogatory as this information already is in BellSouth's possession. Talk also objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 12:

For each ILEC wire center area identified in the foregoing Interrogatory (or ILEC exchange if you do not provide the information by wire center area) identify the total number of voice-grade equivalent lines you are providing to end user customers in that wire center area using an ILEC's switch either on an unbundled or resale basis.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 13:

With regard to the voice-grade equivalent lines identified by ILEC wire center area (or ILEC exchange) in response to Interrogatory 12, separate the lines by end user and end user location in the following manner:

- (a) The number of end user customers to whom you provide one (1) voice- grade equivalent line;
- (b) The number of end user customers to whom you provide two (2) voice-grade equivalent lines;
- (c) The number of end user customers to whom you provide three (3) voice-grade equivalent lines;
- (d) The number of end user customers to whom you provide four (4) voice-grade equivalent lines;
- (e) The number of end user customers to whom you provide five (5) voice-grade equivalent lines;
- (f) The number of end user customers to whom you provide six (6) voice-grade equivalent lines;

- (g) The number of end user customers to whom you provide seven (7) voice-grade equivalent lines;
- (h) The number of end user customers to whom you provide eight (8) voice-grade equivalent lines;
- (i) The number of end user customers to whom you provide nine (9) voice-grade equivalent lines;
- (j) The number of end user customers to whom you provide ten (10) voice-grade equivalent lines;
- (k) The number of end user customers to whom you provide eleven (11) voice-grade equivalent lines;
- (l) The number of end user customers to whom you provide twelve (12) voice-grade equivalent lines; and
- (m) The number of end user customers to whom you provide more than twelve (12) voice-grade equivalent lines;

OBJECTION:

Talk incorporates its objection to Interrogatory 12 above, which is a predicate to this Interrogatory 13.

INTERROGATORY NO. 14:

Do you offer to provide or do you provide switching capacity to another local exchange carrier for its use in providing qualifying service anywhere in the nine states in the BellSouth region. If the answer to this Interrogatory is in the affirmative, for each switch that you use to offer or provide such switching capacity, please:

- (a) Provide the Common Language Location Identifier ("CLLI") code of the switch;
- (b) Provide the street address, including the city and state in which the switch is located;
- (c) Identify the type of switch by manufacturer and model (e.g., Nortel DMS100);
- (d) State the total capacity of the switch by providing the maximum number of voice-grade equivalent lines the switch is capable of serving, based on the switch's existing configuration and component parts;
- (e) State the number of voice-grade equivalent lines the switch is currently serving based on the switch's existing configuration and component parts;
and
- (f) Identify all documents referring or relating to the rates, terms, and conditions of Talk America's provision of switching capability.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding this objection, Talk does not offer to provide nor does it provide switching capacity to any other local exchange carrier for its use in providing local exchange services anywhere in the BellSouth region.

INTERROGATORY NO. 15:

Identify every business case in your possession, custody or control that evaluates, discusses, analyzes or otherwise refers or relates to the offering of a qualifying service using: (1) the Unbundled Network Element Platform (UNE-P), (2) self-provisioned switching, (3) switching obtained from a third party provider other than an ILEC, or (4) any combination of these items.

OBJECTION:

Talk also objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the term "business case" on the grounds the term is subject to differing interpretations. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 16:

Identify any documents that you have provided to any of your employees or agents, or to any financial analyst, bank or other financial institution, shareholder or any

other person that describes, presents, evaluates or otherwise discusses in whole or part, how you intend to offer or provide local exchange service, including but not limited to such things as the markets in which you either do participate or intend to participate, the costs of providing such service, the market share you anticipate obtaining in each market, the time horizon over which you anticipate obtaining such market share, and the average revenues you expect per customer.

OBJECTION:

Talk assumes the interrogatory is confined to South Carolina intrastate operations, and objects to the application of any broader intent as overbroad, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Talk objects to this interrogatory on the grounds that information relating to or derived from the business model of a particular carrier is irrelevant to the impairment analysis to be conducted by the Commission and the interrogatory is therefore not reasonably calculated to lead to the discovery of admissible evidence. Talk also objects on the grounds the interrogatory is overbroad, oppressive, and unduly burdensome. Talk also objects on the grounds the interrogatory seeks the disclosure of confidential and proprietary business information.

INTERROGATORY NO. 17:

If not identified in response to a prior Interrogatory, identify every document in your possession, custody, or control referring or relating to the financial viability of self-provisioning switching in your providing qualifying services to end user customers.

OBJECTION:

Talk interprets this interrogatory as relating to intrastate South Carolina operations within BellSouth's territory, and objects to the application of any broader intent. Talk objects to this interrogatory on the grounds that the request to identify "every" document is unduly burdensome and oppressive. Talk also objects on the grounds the interrogatory seeks information that is unrelated to and inconsistent with the impairment analysis to be conducted by the Commission, and is therefore irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Talk also objects on the grounds the interrogatory seeks the disclosure of confidential and proprietary business information.

INTERROGATORY NO. 18:

Do you have switches that are technically capable of providing, but are not presently being used to provide, a qualifying service in South Carolina? If the answer to this Interrogatory is in the affirmative, please:

- (a) provide the Common Language Location Identifier ("CLLI") code of the switch;
- (b) provide the street address, including the city and state in which the switch is located;
- (c) identify the type of switch by manufacturer and model (e.g., Nortel DMS100);

- (d) state the total capacity of the switch by providing the maximum number of voice-grade equivalent lines the switch is capable of serving, based on the switch's existing configuration and component parts;
- (e) state the number of voice-grade equivalent lines the switch is currently serving based on the switch's existing configuration and component parts;
and
- (f) identify any documents in your possession, custody or control that discuss, evaluate, analyze or otherwise refer or relate to whether those switches could be used to provide a qualifying service in South Carolina.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 19:

Identify each MSA in South Carolina where you are currently offering a qualifying service without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk's objection, Talk offers local exchange services throughout the territory served by BellSouth.

INTERROGATORY NO. 20:

If you offer a qualifying service outside of the MSAs identified in response to Interrogatory 19, identify those geographic areas either by describing those areas in words or by providing maps depicting the geographic areas in which you offer such service, without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which

either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk's objection, Talk offers local exchange services throughout the territory served by BellSouth.

INTERROGATORY NO. 21:

Describe with particularity the qualifying services that you offer in the geographic areas described in response to Interrogatories 19 and 20, including the rates, terms, and conditions under which such services are offered. If the qualifying services you offer in those areas vary by area, provide a separate statement of services offered and the rates, terms, and conditions for such services in each area. If this information is contained on a publicly available web site that clearly identifies the relevant geographic areas and identifies the relevant rates, terms and conditions for such areas, it will be a sufficient answer to identify that web site. It will not be a sufficient response if the web site requires the provision of a telephone number or series of telephone numbers in order to identify the geographic area in which you provide such service, or the rates, terms and conditions upon which service is provided.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory to the extent it seeks information that is publicly available. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk's objection, Talk offers local and long distance services to residential and small business subscribers throughout the territory served by BellSouth. The prices generally vary in accordance with the UNE rates zones. Talk's website, www.talk.com, describes the services currently offered by Talk.

INTERROGATORY NO. 22:

Identify each MSA in South Carolina where you are currently offering a non-qualifying service without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information

that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations

INTERROGATORY NO. 23:

If you offer a non-qualifying service outside of the MSAs identified in response to Interrogatory 22, identify those geographic areas either by describing those areas in words or by providing maps depicting the geographic areas in which you offer such service, without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory to the extent it seeks information that is publicly available. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 24:

Describe with particularity the non-qualifying services that you offer in the geographic areas described in response to Interrogatories 22 and 23, including the rates, terms, and conditions under which such services are offered. If the non-qualifying services you offer in those areas vary by area, provide a separate statement of services offered and the rates, terms, and conditions for such services in each area. If this information is contained on a publicly available web site that clearly identifies the relevant geographic areas and identifies the relevant rates, terms and conditions for such areas, it will be a sufficient answer to identify that web site. It will not be a sufficient response if the web site requires the provision of a telephone number or series of telephone numbers in order to identify the geographic area in which you provide such service, or the rates, terms and conditions upon which service is provided.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory to the extent it seeks information that is publicly available. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 25:

Please state the total number of end users customers in the State of South Carolina to whom you only provide qualifying service.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk's objection, as of September 20, 2003, Talk provided local exchange service to 476 customers in South Carolina. Most, if not all, of these customers subscribe to Talk's bundled local/long distance services.

INTERROGATORY NO. 26:

For those end user customers to whom you only provide qualifying service in the State of South Carolina, please state the average monthly revenues you receive from each such end user customer.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations

INTERROGATORY NO. 27:

For those end user customers to whom you only provide qualifying service in the State of South Carolina, please state the average number of lines that you provide each such end user customer.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the terms

“qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk’s objection, as of September 30, 2003, the average number of lines per end user customer in South Carolina was 1.84.

INTERROGATORY NO. 28:

Please state the total number of end users customers in the State of South Carolina to whom you only provide non-qualifying service.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth’s possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission’s rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 29:

For those end user customers to whom you only provide non-qualifying service in the State of South Carolina, please state the average monthly revenues you receive from each such end user customer.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 30:

Please state the total number of end users customers in the State of South Carolina to whom you provide both qualifying and non-qualifying service.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk's objection, see Talk's response to Interrogatory 25.

INTERROGATORY NO. 31:

For those end user customers to whom you provide qualifying and non-qualifying service in the State of South Carolina, please state the average monthly revenues you receive from each such end user customer.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 32:

For those end user customers to whom you provide qualifying and non-qualifying service in the State of South Carolina, please state the average number of lines that you provide each such end user customer.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which

either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk's objection, please see Talk's response to Interrogatory 27.

INTERROGATORY NO. 33:

Please provide a breakdown of the total number of end user customers served by Talk America in South Carolina by class or type of end user customers (e.g., residential customers, small business customers, mass market customers, enterprise customers, or whatever type of classification that you use to classify your customers. For each such classification, and/or if you provide another type of classification, define and describe with specificity the classification so that it can be determined what kinds of customers you have in each classification).

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of

the terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations.

RESPONSE:

Notwithstanding Talk’s objection, as of September 30, 2003, Talk provided local service to 305 residential customers and 171 business customers in South Carolina.

INTERROGATORY NO. 34:

For each class or type of end user customer referenced in Interrogatory No. 33, please state the average acquisition cost for each such end user class or type. Please provide this information for each month from January 2000 to the present.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission’s rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the term “average acquisition cost” on the grounds the term is subject to differing interpretations.

INTERROGATORY NO. 35:

For each class or type of end user customer referenced in Interrogatory No. 33, please state the typical churn rate for each such end user class or type. Please provide this information for each month from January 2000 to the present.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the term "churn rate" on the grounds the term is subject to differing interpretations.

INTERROGATORY NO. 36:

For each class or type of end user customer referenced in Interrogatory No. 33, please state the share of the local exchange market you have obtained. Please provide this information for each month from January 2000 to the present.

OBJECTION:

Talk incorporates its objections to Interrogatory 33 above.

INTERROGATORY NO. 37:

Identify any documents in your possession, custody or control that evaluate, discuss or otherwise refer or relate to your cumulative market share of the local exchange market in South Carolina.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory because it seeks

information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 38:

Identify any documents in your possession, custody or control that evaluate, discuss or otherwise refer or relate to any projections that you have made regarding your cumulative market share growth in the local exchange market in South Carolina.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 39:

Describe how the marketing organization that is responsible for marketing qualifying service in South Carolina is organized, including the organization's structure, size in terms of full time or equivalent employees including contract and temporary employees, and the physical work locations for such employees. In answering this Interrogatory, please state whether you utilize authorized sales representatives in your marketing efforts in South Carolina, and, if so, describe with particularity the nature, extent, and rates, terms, and conditions of such use.

OBJECTION:

Talk also objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 40:

How do you determine whether you will serve an individual customer's location with multiple DSOs or whether you are going to use a DS1 or larger transmission system? Provide a detailed description of the analysis you would undertake to resolve this issue, and identify the factors that you would consider in making this type of a decision.

RESPONSE:

Talk currently markets its services only to residential and small business customers. Therefore, Talk does not undertake the kind of analysis described in this interrogatory.

INTERROGATORY NO. 41:

Is there a typical or average number of DS0s at which you would chose to serve a particular customer with a DS1 or larger transmission system, all other things being equal? If so, please provide that typical or average number and explain how this number was derived.

RESPONSE:

Not applicable. See Talk's response to Interrogatory 40.

INTERROGATORY NO. 42:

What additional equipment, if any, would be required (on the customer's side of the demarcation point rather than on network side of the demarcation point) to provide service to a customer with a DS1 rather than multiple DS0s? For instance, if a customer had 10 DS0s, and you want to provide the customer with the same functionality using a DS1, would a D-4 channel bank, or a digital PBX be required in order to provide equivalent service to the end user that has 10 DS0s? If so, please provide the average cost of the equipment that would be required to provide that functional equivalency (that is, the channel bank, or the PBX or whatever would typically be required should you decide to serve the customer with a DS1 rather than multiple DS0s.)

RESPONSE:

Not applicable. See Talk's response to Interrogatory 40.

INTERROGATORY NO. 43:

What cost of capital do you use in evaluating whether to offer a qualifying service in a particular geographic market and how is that cost of capital determined?

OBJECTION:

Talk objects on the grounds the interrogatory seeks the disclosure of confidential and proprietary business information. Talk objects to the use of the terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations. Talk objects to the use of the term “cost of capital” on the grounds the term is subject to differing interpretations.

INTERROGATORY NO. 44:

With regard to the cost of capital you use in evaluating whether to provide a qualifying service in a particular geographic market, what are the individual components of that cost of capital, such as the debt-equity ratio, the cost of debt and the cost of equity?

OBJECTION:

Talk objects on the grounds the interrogatory seeks the disclosure of confidential and proprietary business information. Talk objects to the use of the terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations. Talk objects to the use of the term “cost of capital” on the grounds the term is subject to differing interpretations. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to

conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 45:

In determining whether to offer a qualifying service in a particular geographic market, what time period do you typically use to evaluate that offer? That is, do you use one year, five years, ten years or some other time horizon over which you evaluate the project?

OBJECTION:

Talk objects on the grounds the interrogatory seeks the disclosure of confidential and proprietary business information. Talk objects to the use of the terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 46:

Provide your definition of sales expense as that term is used in your business.

OBJECTION:

Talk objects to the use of the term “sales expense” on the grounds the term is subject to differing interpretations. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 47:

Based on the definition of sales expense in the foregoing Interrogatory, please state how you estimate sales expense when evaluating whether to offer a qualifying service in a particular geographic market?

OBJECTION:

Talk objects to the use of the term "sales expense" on the grounds the term is subject to differing interpretations. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations. Talk objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 48:

Provide your definition of general and administrative (G&A) costs as you use those terms in your business.

OBJECTION:

Talk objects to the use of the term "general and administrative (G&A)" on the grounds the term is subject to differing interpretations. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 49:

Based on the definition of G&A costs in the foregoing Interrogatory, please state how you estimate G&A expenses when evaluating whether to offer a qualifying service in a particular geographic market?

OBJECTION:

Talk objects to the use of the term "general and administrative (G&A)" on the grounds the term is subject to differing interpretations. Talk objects to the use of the term "sales expense" on the grounds the term is subject to differing interpretations. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations. Talk objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 50:

For each day since January 1, 2000, identify the number of individual hot cuts that BellSouth has performed for Talk America in each state in BellSouth's region.

RESPONSE:

None.

INTERROGATORY NO. 51:

For each individual hot cut identified in response to Interrogatory No. 50, state:

- (a) Whether the hot cut was coordinated or not;

- (b) If coordinated, whether the hot cut occurred as scheduled;
- (c) If the hot cut did not occur as scheduled, state whether this was due to a problem with BellSouth, Talk America, the end-user customer, or some third party, and describe with specificity the reason the hot cut did not occur as scheduled;
- (d) If there was a problem with the hot cut, state whether Talk America complained in writing to BellSouth or anyone else.

RESPONSE:

Not applicable.

INTERROGATORY NO. 52:

Does Talk America have a preferred process for performing batch hot cuts? If the answer to this Interrogatory is in the affirmative, please describe this process with particularity and identify all documents that discuss, describe, or otherwise refer or relate to this preferred process.

RESPONSE:

Talk does not have any experience in performing batch hot cuts and has not developed a "preferred process" to date.

INTERROGATORY NO. 53:

Does Talk America have a preferred process for performing individual hot cuts? If the answer to this Interrogatory is in the affirmative, please describe this process with particularity and identify all documents that discuss, describe, or otherwise refer or relate to this preferred process.

RESPONSE:

No. See Talk's response to Interrogatory 52.

INTERROGATORY NO. 54:

If Talk America has a preferred process for individual hot cuts that differs from BellSouth's process, identify each specific step in Talk America's process that differs from BellSouth's process.

RESPONSE:

Not applicable. See Talk's response to Interrogatory 52.

INTERROGATORY NO. 55:

If Talk America has a preferred process for bulk hot cuts that differs from BellSouth's process, identify each specific step in Talk America's process that differs from BellSouth's process.

RESPONSE:

Not applicable. See Talk's response to Interrogatory 52.

INTERROGATORY NO. 56:

Does Talk America have any estimates of what a typical individual hot cut should cost? If the answer to this Interrogatory is in the affirmative, please provide that estimate, describe with particularity how that estimate was calculated, and identify all documents referring or relating to such estimates.

RESPONSE:

To date, Talk has not developed such an estimates.

INTERROGATORY NO. 57:

Does Talk America have any estimates of what a typical bulk hot cut should cost? If the answer to this Interrogatory is in the affirmative, please provide that estimate, describe with particularity how that estimate was calculated, and identify all documents referring or relating to such estimates.

RESPONSE:

To date, Talk has not developed any such estimates.

INTERROGATORY NO. 58:

What is the largest number of individual hot cuts that Talk America has requested in any individual central office in each of the nine BellSouth states on a single day? In answering this Interrogatory, identify the central office for which the request was made, and the number of hot cuts that were requested. State with specificity what the outcome was for each of the hot cuts in each of the central offices so described, if not provided in response to an earlier interrogatory.

RESPONSE:

None.

INTERROGATORY NO. 59:

Does any ILEC in the BellSouth region have a batch hot cut process that is acceptable to Talk America or that Talk America believes is superior to BellSouth's batch hot cut process? If so, identify the ILEC and describe with particularity the ILEC's

batch hot cut process, specifying any differences between the ILEC's batch hot cut process and BellSouth's.

RESPONSE:

Talk has no experience with and has not evaluated ILEC batch hot cut processes in the BellSouth region and therefore, has not developed an opinion as to whether there are any that would be acceptable to Talk or that are superior to Bell South's process.

INTERROGATORY 60:

Does any ILEC in the BellSouth region have a cost for a batch hot cut process that is acceptable to Talk America? If so, name the ILEC and provide the rate and the source of the rate.

RESPONSE:

Talk America has no experience with and has not evaluated the costs for ILEC batch hot cut processes in the BellSouth region.

INTERROGATORY NO. 61:

Does any ILEC in the BellSouth region have an individual hot cut process that is acceptable to Talk America or that Talk America believes is superior to BellSouth's individual hot cut process? If so, identify the ILEC and describe with particularity the ILEC's individual hot cut process, specifying any differences between the ILEC's individual hot cut process and BellSouth's.

RESPONSE:

Talk has no experience with and has not evaluated ILEC individual cut processes in the BellSouth region and, therefore, has not developed an opinion as to whether there are any that would be acceptable to Talk or that are superior to Bell South's process.

INTERROGATORY NO. 62:

Does any ILEC in the BellSouth region have a rate for an individual hot cut process that is acceptable to Talk America? If so, name the ILEC and provide the rate and the source of the rate.

RESPONSE:

Talk has no experience with and has not evaluated the rates for ILEC individual hot cut processes in the BellSouth region.

INTERROGATORY NO. 63:

Does any ILEC outside the BellSouth region have a batch hot cut process that is acceptable to Talk America or that Talk America believes is superior to BellSouth's batch hot cut process? If so, identify the ILEC and describe with particularity the ILEC's batch hot cut process, specifying any differences between the ILEC's batch hot cut process and BellSouth's.

RESPONSE:

Talk has no experience with and has not evaluated ILEC batch hot cut processes outside the BellSouth region and, therefore, has not developed an opinion as to whether there are any that would be acceptable to Talk or that are superior to Bell South's process.

INTERROGATORY NO. 64:

Does any ILEC outside the BellSouth region have a rate for a batch hot cut process that is acceptable to Talk America? If so, name the ILEC and provide the rate and the source of the rate.

RESPONSE:

Talk has no experience with and has not evaluated the rates for ILEC batch hot cut processes outside the BellSouth region.

INTERROGATORY NO. 65:

Does any ILEC outside the BellSouth region have an individual hot cut process that is acceptable to Talk America or that Talk America believes is superior to BellSouth's individual hot cut process? If so, identify the ILEC and describe with particularity the ILEC's individual hot cut process, specifying any differences between the ILEC's individual hot cut process and BellSouth's.

RESPONSE:

Talk has no experience with and has not evaluated ILEC individual cut processes outside the BellSouth region and, therefore, has not developed an opinion as to whether there are any that would be acceptable to Talk or that are superior to Bell South's process.

INTERROGATORY NO. 66:

Does any ILEC outside the BellSouth region have a rate for an individual hot cut process that is acceptable to Talk America? If so, name the ILEC and provide the rate and the source of the rate.

RESPONSE:

Talk has no experience with and has not evaluated the rates for ILEC individual hot cut processes outside the BellSouth region.

INTERROGATORY NO. 67:

Does Talk America order coordinated or non-coordinated hot cuts?

RESPONSE:

Talk has not ordered any hot cuts from BellSouth.

INTERROGATORY NO. 68:

Does Talk America use the CFA database?

RESPONSE:

No.

INTERROGATORY NO. 69:

Identify every issue related to BellSouth's hot cut process raised by Talk America at the South Carolina CLEC collaborative since October 2001.

RESPONSE:

Talk provides service in South Carolina exclusively via UNE-P or resale and, therefore, has not required hot cuts. Consequently, Talk has not raised any issues related to BellSouth's hot cut process.

INTERROGATORY NO. 70:

What is the appropriate volume of loops that you contend the South Carolina Public Service Commission should use in establishing a batch hot cut process consistent with FCC Rule 51.319(d)(2)(ii)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 71:

What is the appropriate process that you contend the South Carolina Public Service Commission should use in establishing a batch hot cut process consistent with FCC Rule 51.319(d)(2)(ii)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 72:

If Talk America disagrees with BellSouth's individual hot cut process, identify every step that Talk America contends is unnecessary and state with specificity why the step is unnecessary.

RESPONSE:

Talk has no experience with BellSouth's individual hot cut process and has not developed an opinion as to what steps in that process may be unnecessary.

INTERROGATORY NO. 73:

If Talk America disagrees with BellSouth's bulk hot cut process, identify every step that Talk America contends is unnecessary and state with specificity why the step is unnecessary.

RESPONSE:

Talk has no experience with BellSouth's bulk hot cut process and has not developed an opinion as to what steps in that process may be unnecessary.

INTERROGATORY NO. 74:

Identify by date, author and recipient every written complaint Talk America has made to BellSouth regarding BellSouth's hot cut process since October 2001.

RESPONSE:

Talk provides service in South Carolina exclusively via UNE-P or resale and, therefore, has not requested any hot cuts from BellSouth. Talk therefore has not made any written complaints to BellSouth regarding the process.

INTERROGATORY NO. 75:

How many unbundled loops does Talk America contend BellSouth must provide per state per month to constitute sufficient volume to assess BellSouth's hot cut process?

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 76:

What is the appropriate information that you contend the South Carolina Public Service Commission should consider in evaluating whether the ILEC is capable of migrating multiple lines served using unbundled local circuit switching to switches operated by a carrier other than the ILEC in a timely manner in establishing a batch hot cut process consistent with FCC Rule 51.319(d)(2)(ii)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this interrogatory to the extent that seeks a legal conclusion.

INTERROGATORY NO. 77:

What is the average completion interval metric for provision of high volumes of loops that you contend the South Carolina Public Service Commission should require in establishing a batch hot cut process consistent with FCC Rule 51.319(d)(2)(ii)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this request to the extent it seeks a legal conclusion.

INTERROGATORY NO. 78:

What are the rates that you contend the South Carolina Public Service Commission should adopt in establishing a batch hot cut process consistent with FCC Rule 51.319(d)(2)(ii)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 79:

What are the appropriate product market(s) that you contend the South Carolina Public Service Commission should use in implementing FCC Rule 51.319(d)(2)(i)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 80:

What are the appropriate geographic market(s) that you contend the South Carolina Public Service Commission should use in implementing FCC Rule 51.319(d)(2)(i)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this request to the extent it seeks a legal conclusion.

INTERROGATORY NO. 81:

Do you contend that there are operational barriers within the meaning of FCC Rule 51.319(d)(2)(iii)(B)(2) that would support a finding that requesting telecommunications carriers are impaired without access to local circuit switching on an unbundled basis in a particular market? If the answer to this Interrogatory is in the

affirmative, describe with particularity each such operational barrier, and state all facts and identify all documents supporting your contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 82:

Do you contend that there are economic barriers within the meaning of FCC Rule 51.319(d)(2)(iii)(B)(3) that would support a finding that requesting telecommunications carriers are impaired without access to local circuit switching on an unbundled basis in a particular market? If the answer to this Interrogatory is in the affirmative, describe with particularity each such economic barrier, and state all facts and identify all documents supporting your contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 83:

What is the maximum number of DS0 loops for each geographic market that you contend requesting telecommunications carriers can serve through unbundled switching when serving multiline end users at a single location that the South Carolina Public Service Commission should consider in establishing a "cutoff" consistent with FCC Rule 51.319(d)(2)(iii)(B)(4)? In answering this Interrogatory, please state all facts and identify all documents supporting this contention.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 84:

Identify each market in the U.S. where you provide local telephone service, the year and month when you first offered local exchange service, the type of customers (residence or business) you serve, and the number of lines served in each market.

OBJECTION:

Talk assumes the interrogatory is confined to South Carolina intrastate operations, and objects to the application of any broader intent as overbroad, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory to the extent it seeks information that is publicly available. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 85:

For those end user customers to whom you provide qualifying and non-qualifying service in the state of South Carolina, state the average monthly revenues (and identify the revenue separately for qualifying and non qualifying services, local and long distance services, and any other services) you receive from each such end user customer for those customers:

- a. End users with 1 line;

- b. End users with 2 lines;
- c. End users with 3 lines;
- d. End users with 4 lines;
- e. End users with 5 lines;
- f. End users with 6 lines;
- g. End users with 7 lines;
- h. End users with 8 lines;
- i. End users with 9 lines;
- j. End users with 10 lines;
- k. End users with 11 lines;
- l. End users with 12 lines;
- m. End users with 13 lines;
- n. End users with 14 lines;
- o. End users with 15 lines;
- p. End users with 16 lines;
- q. End users with 17 lines;
- r. End users with 18 lines;
- s. End users with 19 lines;
- t. End users with 20 lines;
- u. End users with 21 lines;
- v. End users with 22 lines;
- w. End users with 23 lines;

- x. End users with 24 lines;
- y. End users with more than 24 lines.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 86:

For each class or type of end user customer you identified in response to BellSouth's Interrogatory No. 33, state the general and administrative (G&A) expenses in South Carolina.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the terms "qualifying service" and "nonqualifying service" on the grounds the terms are

subject to differing interpretations. Talk also objects to the use of the term “general and administrative (G&A)” on the grounds the term is subject to differing interpretations.

INTERROGATORY NO. 87:

Provide your revenues, separately identified by qualifying and non-qualifying services, in South Carolina for the period 1996 through present.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission’s rules and procedures relating to confidential and proprietary information. Talk also objects to the use of the terms “qualifying service” and “nonqualifying service” on the grounds the terms are subject to differing interpretations.

INTERROGATORY NO. 88:

Provide a statement of income (1996 through present) or profitability for each market in South Carolina or for the most granular level that you have in South Carolina.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission’s rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 89:

For each 100 of the types of end user customers identified in your response to BellSouth's Interrogatory No. 85 above, state how many are added as a result of:

- a. Telemarketing;
- b. Direct mail;
- c. Customer-initiated call for service;
- d. Customer-initiated Internet request for service;
- e. Direct contact (other than telemarketing) from service rep;
- f. Other Sales Channel (please describe).

OBJECTION:

Talk incorporates its objections to Interrogatory 85 above, which is a predicate to this Interrogatory 89.

INTERROGATORY NO. 90:

For the customers identified in response to BellSouth's Interrogatory No. 85 above, identify with particularity the average customer acquisition cost by sales channel.

OBJECTION:

Talk incorporates its objections to Interrogatory 85 above, which is a predicate to this Interrogatory 90.

INTERROGATORY NO. 91:

Describe with particularity whether and how you use (a) newspaper (b) television (c) radio media to (d) direct mail marketing and telemarketing to attract residential or

other business subscribers. Identify all documentation you relied upon to support your response.

OBJECTION:

Talk also objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 92:

For each of the sales channels identified in your response to BellSouth's Interrogatory No. 89 and as related to each customer line size as described in Interrogatory No. 85 above, provide a take rate per product offering as measured as a percentage of the number of potential customers actually contacted.

OBJECTION:

Talk incorporates its objections to Interrogatories 85 and 89 above, which are predicates to this Interrogatory 92.

INTERROGATORY NO. 93:

Identify the percentage of your customers by line size as described in your response to BellSouth's Interrogatory No. 85 above, that accept your service under a

bundle or package that includes any combination of local service, long distance, DSL or other data product or voicemail. Identify all documentation you relied upon to support your response.

OBJECTION:

Talk incorporates its objections to Interrogatory 85 above, which is a predicate to this Interrogatory 93.

INTERROGATORY NO. 94:

Describe the criteria you consider to enter a specific market offering qualified services. In your response please detail how, and the extent to which, you rely on both business customers and residential customers to meet the financial criteria. Also identify the criteria used to select the customers that are marketed to or contacted in your marketing campaigns.

OBJECTION:

Talk objects on the grounds the interrogatory seeks the disclosure of confidential and proprietary business information. Talk objects to the use of the terms “qualified service” on the grounds the term is subject to differing interpretations. Talk also objects to this interrogatory on the grounds it seeks information that is unrelated to the analysis the Commission is to conduct, irrelevant to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 95:

What percentage of the total lines in each market in South Carolina satisfy the criteria described in your response to BellSouth’s Interrogatory No. 94?

OBJECTION:

Talk incorporates its objections to Interrogatory 94 above, which is a predicate to this Interrogatory 95.

INTERROGATORY NO. 96:

For each of the customer line counts described in your response to BellSouth's Interrogatory No. 85 above, please provide the quantity and percentage of customers that accept your service for:

- a. local, long distance and Voicemail;
- b. local and long distance;
- c. Local, long distance, and DSL or other data product.

OBJECTION:

Talk incorporates its objections to Interrogatory 85 above, which is a predicate to this Interrogatory 96.

INTERROGATORY NO. 97:

Please provide, on a customer segment basis (residence, small business, large business), or the next most granular level available, the quantity and percentage of your customers that accept service, without purchasing a package (a la carte).

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually

acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 98:

Please identify all documents and underlying data that you use to compute churn rates.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information. Talk objects to the use of the term "churn rate" on the grounds the term is subject to differing interpretations.

INTERROGATORY NO. 99:

Please provide your bad debt expense as a percentage of revenue over the period 1996 to present.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 100:

With regard to long distance services, please provide the following:

- a. your average revenue per minute (ARPU) for long distance service in the state;
- b. average revenue per minute (ARPU) for long distance service in the state for residential customers;
- c. average revenue per minute (ARPU) for long distance service in the state for business customers in total;
- d. average revenue per minute (ARPU) for long distance service in the state for business customers with 1-3 lines
- e. average revenue per minute (ARPU) for long distance service in the state for business customers with 4-8 lines.
- f. average revenue per minute (ARPU) for long distance service in the state for business customers with 9-23 lines.
- g. average revenue per minute (ARPU) for long distance service in the state and for business customers with 24 or more lines.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 101:

With regard to bundles of local and long distance services offered to retail customers;

- a. Provide the proportion or percentage (nationally) of residential customers that receive a bundled offering of local and long distance service.
- b. Provide the proportion (for the state) of residential customers that receive a bundled offering of local and long distance service.
- c. Provide the average monthly revenue per customer for those customers with 1 line and with 2 lines.
- d. Provide the proportion (nationally) of your business customers that receive a bundled offering of local and long distance service.
- e. Provide the proportion (for the state) of your business customers that receive a bundled offering of local and long distance service.
- f. Provide the average monthly revenue per customer for those customers 4 lines and with 5 lines.
- g. Provide the proportion (nationally) of business customers with 1-3 lines that receive a bundled offering of local and long distance service.
- h. Provide the proportion (in the state) of business customers with 1-3 lines that receive a bundled offering of local and long distance service.

- i. Provide the average monthly revenue per customer for those customers identified with 7 lines and with 8 lines.
- j. Provide the proportion (nationally) of business customers with 4-8 lines that receive a bundled offering of local and long distance service.
- k. Provide the proportion (in the state) of business customers with 4-8 lines that receive a bundled offering of local and long distance service.
- l. Provide the average monthly revenue per customer for those customers with 10 lines and with 11 lines.

OBJECTION:

Talk assumes the interrogatory is confined to South Carolina intrastate operations, and objects to the application of any broader intent as overbroad, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory to the extent it seeks information that is publicly available. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 102:

With respect to your retail bundled offerings that include DSL or Data Services:

- a. Provide the proportion (nationally and for the state) of residential customers that receive a bundled offering that includes DSL.
- b. Provide the average price discount for such bundles from the retail rates in a.
- c. Provide the proportion (nationally, and for the state) of business customers that receive a bundled offering including DSL or data services.
- d. Provide the average price discount for such bundles from the retail rates in c.
- e. Provide the proportion (nationally, and for the state) of business customers in the 1-3 line size that receive a bundled offering including DSL or data services.
- f. Provide the average price discount for such bundles from the retail rates in e.
- g. Provide the proportion (nationally, and for the state) of business customers in the 4-8 line size that receive a bundled offering including DSL or data services.
- h. Provide the average price discount for such bundles from the retail rates in g.

- i. Provide the proportion (nationally, and for the state) of business customers in the 9-23 line size that receive a bundled offering including DSL or data services.
- j. Provide the average price discount for such bundles from the retail rates in i.
- k. Provide the proportion (nationally, and for the state) of business customers with 24 or more lines that receive a bundled offering including data services.
- l. Provide the average price discount for such bundles from the retail rates in k.

OBJECTION:

Talk assumes the interrogatory is confined to South Carolina intrastate operations, and objects to the application of any broader intent as overbroad, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Talk objects to this interrogatory to the extent it seeks information already in BellSouth's possession. Talk also objects to this interrogatory to the extent it seeks information that is publicly available. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 103:

With respect to any discounts you offer on long distance services:

- a. Provide the approximate proportion of your long distance business customers that receive service via a contract with a volume and/or term discount. Provide the response by:
 - i. Business with 1-3 lines
 - ii. Businesses with 4-8 lines
 - iii. Businesses with 9-23 lines
 - iv. Businesses with 24 or more lines
- b. For the answer in a above, approximately what is the discount in percentage terms for each line size?
- c. For the answer in a above, approximately what is the range of terms for each line size?
- d. Provide the approximate proportion of your long distance residential customers that receive service via a contract with a volume and/or term discount.
- e. For the answer in c above, approximately what is the discount in percentage terms?
- f. What is the lowest price per minute that the company sells to a customer for long distance service?
- g. For the question e above, what terms and conditions are required in order to obtain this rate?

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 104:

With respect to any long distance services you provide:

- a. What proportion of your total long distance service that is provided to customers nationally is provided through your own switches?
- b. What proportion of your total long distance service that is provided to customers nationally is not provided through your own switches?
- c. What proportion of your total long distance service that is provided to customers in the state of South Carolina is provided through your own switches?
- d. What proportion of your total long distance service that is provided to customers in the state of South Carolina is not provided through your own switches?
- e. What proportion of your total long distance service that is provided to customers nationally is provided via resale of

- another Company's long distance service? Provide annual number of long distance minutes that are resold nationally.
- f. What proportion of your total long distance service that is provided to customers nationally is not provided via resale of another Company's long distance service? Provide annual number of long distance minutes that are not resold nationally.
 - g. For resold long distance service, what is the average cost per minute (i.e., the average amount paid to the reselling company per minute) for long distance service provided to customers nationally?
 - h. For g above, does this include nonrecurring charges?
 - i. For resold long distance service, what is the average cost per minute (i.e., the average amount paid to the reselling company per minute) for long distance service provided to customers in the state of South Carolina?
 - j. For answer g, under what terms and conditions do you purchase the resold service?
 - k. For answer i, under what terms and conditions do you purchase the resold service?

OBJECTION:

Talk assumes the interrogatory is confined to South Carolina intrastate operations, and objects to the application of any broader intent as overbroad, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 105:

Identify the retail rates you charge for special access or similar transport services offered to customers. Your response should include all relevant non-recurring and recurring rates you charge your customers.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 106:

With respect to transport material prices you pay for equipment:

- a. What is the average vendor discount (in percentage) from vendor retail prices you receive for 1/0 multiplexer equipment?
- b. Provide the material prices, year of acquisition, capacity expressed in DS0 equivalents and the engineered utilization for the most recent acquisitions of 1/0 multiplexer equipment.
- c. What is the average vendor discount (in percentage) from vendor retail prices the company receives for 3/1 multiplexer equipment?
- d. Provide the material prices, year of acquisition, capacity expressed in DS0 equivalents and the engineered utilization for the most recent acquisitions of 3/1 multiplexer equipment.
- e. What is the average vendor discount (in percentage) from vendor retail prices the company receives for optical fiber?
- f. Provide the material prices, year of acquisition, fiber capacity and the engineered utilization for the most recent acquisitions of optical fiber?

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually

acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 107:

With respect to the cost you pay for leased transport capacity:

- a. Provide the monthly price(s) paid for most recent lease of DS1 capacity from a company other than BellSouth. Include all monthly rate elements such as per termination and/or per mile rates.
- b. Provide the non-recurring price(s) paid for most recent lease of DS1 capacity from a company other than BellSouth. Include all non-recurring rate elements.
- c. Provide the monthly price(s) paid for most recent lease of DS3 rate elements such as per termination and/or per mile rates.
- d. Provide the non-recurring price(s) paid for most recent lease of DS3 capacity from a company other than BellSouth. Include all non-recurring rate elements.
- e. Provide the monthly price(s) paid for most recent lease of OC3 capacity from a company other than BellSouth. Include all monthly rate elements such as per termination and/or per mile rates.
- f. Provide the non-recurring price(s) paid for most recent lease of OC3 capacity from a company other than BellSouth. Include all non-recurring rate elements.

- g. Provide the monthly price(s) paid for most recent lease of OC12 capacity from a company other than BellSouth. Include all monthly rate elements such as per termination and/or per mile rates.
- h. Provide the non-recurring price(s) paid for most recent lease of OC12 capacity from a company other than BellSouth. Include all non-recurring rate elements.
- i. Provide the monthly price(s) paid for most recent lease of OC48 capacity from a company other than BellSouth. Include all monthly rate elements such as per termination and/or per mile rates.
- j. Provide the non-recurring price(s) paid for most recent lease of OC48 capacity from a company other than BellSouth. Include all non-recurring rate elements.
- k. Provide the monthly price(s) paid for most recent lease of OC192 capacity from a company other than BellSouth. Include all monthly rate elements such as per termination and/or per mile rates.
- l. Provide the non-recurring price(s) paid for most recent lease of OC192 capacity from a company other than BellSouth. Include all non-recurring rate elements.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually

acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 108:

With respect to the prices you pay for voice mail equipment:

- a. What is the average vendor discount (in percentage) from vendor retail prices you receive for voice mail equipment?
- b. Provide the material prices, year of acquisition, capacity expressed in number of voice mailboxes and the engineered utilization for the most recent acquisitions of voice mail equipment.

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 109:

With respect to the prices you pay for Operator Assistance Costs:

- a. What proportion of your total operator services provided to customers nationally is provided via resale of another Company's operator service? Provide annual number of operator minutes that are resold nationally.

- b. What proportion of your total operator services that is provided to customers nationally is not provided via resale of another Company's operator service? Provide annual number of operator minutes that are not resold nationally.
- c. For resold operator service, what is the average cost per minute (i.e., the average amount paid to the reselling company per minute) for operator services provided to customers nationally?
- d. For resold operator service, what is the average cost per minute (i.e., the average amount paid to the reselling company per minute) for operator service provided to customers in the state of South Carolina?
- e. For answer c above under what terms and conditions do you purchase the resold service?
- f. For answer d above, under what terms and conditions do you purchase the resold service?

OBJECTION:

Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

INTERROGATORY NO. 110:

In the FCC's Triennial Review Order, released August 21, 2003, it discusses determination of economic entry on the basis of the "most efficient business model" and "most efficient network architecture" (§517):

- a. Do you employ "the most efficient business model" as that phrase is used in paragraph 517 of the TRO? Explain with particularity your answer.
- b. Do you employ "the most efficient network architecture" as that phrase is used at paragraph 517 of the TRO? Explain with particularity your answer.
- c. Are you the least cost competitive (CLEC) provider in the state?
- d. If the answer to c is anything other than an unqualified no, please identify which provider you believe is the least cost provider.
- e. If the answer to c is anything other than an unqualified no, please estimate the percentage by which you believe your costs exceed (on an average basis) the costs of the least cost competitive provider.

OBJECTION:

Talk objects to this interrogatory to the extent it seeks a legal conclusion.

INTERROGATORY NO. 111:

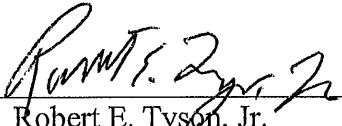
If you offer long distance services to your customers, state for each state in the BellSouth region the average access charges you pay for (a) originating and (b)

terminating long distance services. An average based on the most recently available month or quarter will be sufficient.

OBJECTION:

Talk assumes the interrogatory is confined to South Carolina intrastate operations, and objects to the application of any broader intent as overbroad, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Talk objects to this interrogatory because it seeks information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed only pursuant to the terms of a mutually acceptable confidentiality agreement and the Commission's rules and procedures relating to confidential and proprietary information.

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

By: 
Robert E. Tyson, Jr.
1310 Gadsden Street (29201)
Post Office Box 11449
Columbia, South Carolina 29211
Telephone: (803) 929-1400
rtyson@sowell.com

Brett Heather Freedson
KELLEY DRYE & WARREN, L.L.P.
1200 Nineteenth Street, NW
Suite 500
Washington, D.C. 20036
Telephone: (202) 887-1211
bfreedson@kelleydrye.com

Attorneys for Talk America, Inc.

Columbia, South Carolina

December 2, 2003

CERTIFICATE OF SERVICE

I, the undersigned paralegal of the law offices of Sowell Gray Stepp & Laffitte, L.L.C., attorneys for Talk America, do hereby certify that I have served a copy of the pleading(s) hereinbelow specified via e-mail to the following address(es):

Pleadings: **Talk America's Objections to BellSouth's First Set of Interrogatories**

Counsel Served: Elliott F. Elam, Jr. Esquire
 South Carolina Department of Consumer Affairs
 Elam@dca.state.sc.us

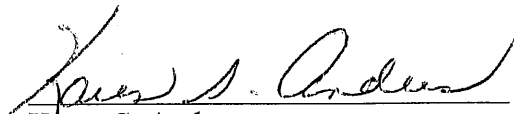
John J. Pringle, Jr., Esquire
Ellis, Lawhorne & Sims, P.A.
Attorney for AT&T Communications of the Southern State, L.L.C. and Access Integrated Networks, Inc.
jpringle@ellislawhorne.com

Patrick W. Turner, Esquire
Attorney for BellSouth Telecommunications, Inc.
patrick.turner@bellsouth.com

F. David Butler, Esquire
South Carolina Public Service Commission
david.butler@psc.state.sc.us

Bruce Duke
Acting Executive Director
South Carolina Public Service Commission
bruce.duke@psc.state.sc.us

Robert E. Tyson, Jr., Esquire
Sowell Gray Stepp & Laffitte, L.L.C.
Attorney for Competitive Carriers of the South, Inc. ("Compsouth")
rtyson@sowell.com



Karen S. Anders
Litigation Paralegal

December 2, 2003